

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER: 2248.05
COMPLAINT INVESTIGATOR: Brian Simkins
DATE OF COMPLAINT: April 20, 2005
DATE OF REPORT: May 18, 2005
REQUEST FOR RECONSIDERATION: no
DATE OF CLOSURE: June 20, 2005

COMPLAINT ISSUES:

Whether the Marion Community Schools and the Grant County Special Education Cooperative violated:

511 IAC 7-22-1(d) by failing to provide the parent with a copy of the written notice of procedural safeguards at the time of notification of a case conference committee meeting on April 5, 2005.

511 IAC 7-26-2(d) by failing to ensure that professional and paraprofessional staff serving students with autism spectrum disorder have received specialized in-service training in this area.

FINDINGS OF FACT:

1. The Student has been identified as having autism spectrum disorder and a communication disorder and has been determined eligible for special education and related services.
2. The Complainant received a copy of the Notice of Procedural Safeguards at the Student's case conference committee meeting held on April 5, 2005, as is indicated by the front page of the written report with a box checked "yes." The Complainant signed the Student's Individualized Education Program (IEP).
3. The Student attends a Life Skills class. At the end of the first semester of the 2004-2005 school year, the Student's Life Skills teacher resigned in December of 2004. Starting January 3, 2005, the first day of school after the winter break, the School temporarily replaced the Life Skills teacher with a special education teacher. A new Life Skills teacher was hired and began teaching the Student's class on or about January 10, 2005. A veteran Life Skills teacher, who is also the Student's teacher of record, provided specialized in-service training to the new teacher on January 14, 18, 19, 20, and 21, 2005.

CONCLUSIONS:

1. Finding of Fact #2 indicates that the School did not fail to provide the Complainant with a copy of the Notice of Procedural Safeguards. Therefore, a violation of 511 IAC 7-22-1(d) is not found.
2. Finding of Fact #3 indicates that the School did not fail to ensure that professional and paraprofessional staff who serve the Student have received specialized in-service training in the area of autism spectrum disorder. Therefore, a violation of 511 IAC 7-26-2(d) is not found.

The Department of Education, Division of Exceptional Learners requires no corrective action based on the Findings of Fact and Conclusions listed above.